

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WILBUR-ELLIS COMPANY LLC,

Plaintiff,

v.

JOSH GOMPERT, AARON PETERSEN,
JAMES KUNZMAN, and CHAD
MUELLER,

Defendants.

8:21CV340

ORDER

This matter is before the Court on defendant Chad Mueller’s (“Mueller”) motion to dismiss him from this case for lack of personal jurisdiction (Filing No. 21). *See* Fed. R. Civ. P. 12(b)(2). Defendants Josh Gompert, Aaron Petersen, and James Kunzman (collectively with Mueller, “defendants”) have moved (Filing No. 32) for an extension of time to answer until the Court rules on Mueller’s jurisdictional challenge. Plaintiff Wilbur-Ellis Company LLC (“Wilbur-Ellis”) has opposed both motions. The response deadline has been held in abeyance pending further Court order.

On March 10, 2022, Mueller notified the Court (Filing No. 35) he is withdrawing his challenge to personal jurisdiction because he has moved to Nebraska and accepts “the realities of the situation and the overall status of these proceedings.” Mueller has entered a general appearance and requests 21 days to answer the Amended Complaint (Filing No. 11). The other defendants join that request and ask for the same deadline.

Wilbur-Ellis is presumably on board with Mueller’s change of course—even if it still harbors some objection to the defendants’ timeline. In any event, the Court finds the defendants’ request makes sense.

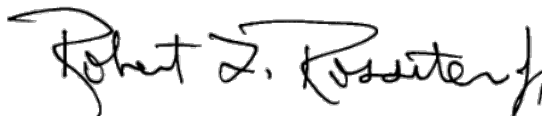
For that reason,

IT IS ORDERED:

1. Defendant Chad Mueller's motion to dismiss for lack of personal jurisdiction (Filing No. 21) is denied as moot. The jurisdictional discovery and briefing schedule set in the Court's February 4, 2022, Memorandum and Order (Filing No. 31) no longer applies.
2. The defendants' request for an extension of time to answer (Filing No. 32) is granted.
3. The defendants shall answer the amended complaint on or before April 1, 2022.

Dated this 11th day of March 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge